

INITIAL STATEMENT OF REASONS

Commission Regulations 1005, 1007, and 1008; Training and Testing Specifications for Peace Officer Basic Courses

The Commission on Peace Officer Standards and Training (POST) proposes to amend the document, Training and Testing Specifications for Peace Officer Basic Courses. The proposed changes involve updates to curriculum as part of an ongoing review and updates the incorporation by reference statements in Commission Regulations 1005, 1007, and 1008 to address the following:

- Updating the Requalification Basic Course to ensure the required legislative mandates are being met and revise content to address current trends.
- Update Learning Domain 20 – Use of Force to reflect the updates to Penal Code section 13519.10 using the term intercede instead of intervene.
- Update Learning Domain 33 – Arrest and Control to include body positioning that could restrict breathing (i.e., positional asphyxia).

All changes to basic course requirements begin with recommendations from law enforcement practitioners or, in some cases, via legislative mandates. POST then facilitates meetings with subject matter experts (SMEs) who recommend changes to existing or addition of new presenter requirements. The Commission approved them at the June 2, 2021, and September 1, 2021 Commission meetings, subject to the Notice of Proposed Regulatory Action process.

Justification

The proposed changes will improve training which will increase the effectiveness of law enforcement standards for peace officers in preserving peace, protection of public health and safety, and welfare of California.

- Learning Domain 3 – Principled Policing in the Community was updated to include procedural justice in the Requalification Course that includes content on implicit and explicit bias, and cynicism. This increased the hourly requirement from 8 to 12 hours. This content is legislatively mandated for Peace Officers.
- Learning Domain 9 – Crimes Against Children was updated to include the learning activity involving the preliminary investigation of either child abuse, child neglect, or child sexual exploitation to the Requalification Course. This increased the hourly requirement from 2 to 4 hours. This content is legislatively mandated for Peace Officers.
- Learning Domain 10 – Sex Crimes was updated to include the learning activity that requires the student to perform the tasks while conducting a preliminary investigation of a sexual assault to the Requalification Course. This increased the hours from 2 to 4 hours. This content is legislatively mandated for peace officers.
- Learning Domain 19 – Driver Awareness was updated to include an exercise test that requires the student to drive a law enforcement vehicle and demonstrate a series of slow speed precision driving maneuvers into the Requalification Course. This increased the hours from 2 to 6 hours. This provides the student with a refresher of the importance of the basics in driving.
- Learning Domain 20 – Use of Force was updated to reflect the change in Penal Code section 13519.10 using the term intercede instead of intervene. The hours

INITIAL STATEMENT OF REASONS

Commission Regulations 1005, 1007, and 1008; Training and Testing Specifications for Peace Officer Basic Courses

were increased in the Requalification Course from 8 to 16 to reflect the minimum number of hours it takes to teach the current content.

Justification Continued

- Learning Domain 22 – Vehicle Pullovers was updated at the required learning activity involving a vehicle stop to the Requalification Course and adjusted the hours from 2 to 4 hours. This will ensure students have the proper techniques when making a vehicle pullover.
- Learning Domain 24 – Handling Disputes/Crowd Control was updated to include Learning Need IV, A, B, C, D and Learning Need V, A, B. It is legislatively mandated that peace officers receive training on civil disobedience.
- Learning Domain 30 – Crime Scenes, Evidence and Forensics was updated to remove it from the Requalification Course. SMEs felt this was unneeded content and students would receive additional training at their agencies on their specific policies and procedures on how to handle crime scenes.
- Learning Domain 33 – Arrest and Control was updated to decrease the hours in the Requalification Course from 30 to 24 to reflect the hours it takes to teach the content. Added body positioning that could restrict breathing (i.e., positional asphyxia) to Learning Need B, Learning Objective B. Peace officers need to be aware that body positions used to control a subject may cause additional concerns for the subject's physical well-being. In order to ensure the safety and to minimize the risk of an in-custody death, peace officers should learn to recognize contributing factors that may restrict breathing.
- Learning Domain 34 – First Aid, CPR, and AED was updated to include 8 hours of in the Requalification Course. It's required that peace officers receive update training in First Aid.
- Learning Domain 35 – Firearms/Chemical Agents was updated to remove the learning objective that describes the basic information about shotguns and chemical agent exposure. Removed the testing and learning activity requirement for the shotgun. Decreased the hours from 20 to 10 to reflect the changes to content. SMEs felt students do not need refresher training in these subjects.
- Learning Domain 37 – People with Disabilities was updated to add content in on methods of communication during field contacts to the Requalification Course. This is needed to ensure peace officers make appropriate decisions and serve those with physical disabilities. The course hours increased from 2 to 8 hours to reflect the added content.
- Learning Domain 38 – Gang Awareness was removed from the Requalification Course. Peace officers will receive training at their agency in regard to the different gangs in their region.
- Learning Domain 42 – Cultural Diversity/Discrimination was updated to increase the hours from 4 to 6 hours to reflect the hours needed to cover the content.
- Minimum Content and Hourly Requirements for the Requalification Course was updated to reflect all the changes to the hours in the various learning domains. These revisions added an additional 14 hours to the make the course a total of 158 hours. Removed the 2 hours of orientation as this is not required for the other basic courses.

INITIAL STATEMENT OF REASONS

Commission Regulations 1005, 1007, and 1008; Training and Testing Specifications for Peace Officer Basic Courses

Significant Statewide Adverse Economic Impact Directly Affecting California Businesses, Including Small Businesses

POST has made a determination that the amended regulations will not have a significant statewide adverse economic impact directly affecting California businesses, including the ability to compete with businesses in other states. POST has found that the proposed amendments will have no effect on California businesses, including small businesses, because the Commission sets selection and training standards for law enforcement and does not impact California businesses, including small businesses.

Cost Impacts on Representative Private Persons or Businesses

POST is not aware of any cost impacts that a representative private person or business would necessarily incur in reasonable compliance with this proposed action.

Assessment

The adoption of the proposed regulation amendments will neither create nor eliminate jobs in the state of California and will not result in the elimination of existing businesses or create or expand businesses in the state of California.

Considerations of Alternatives

The Commission determined that no reasonable alternative considered by the Commission or that has otherwise been identified and brought to the attention of the Commission would be more effective in carrying out the purpose for which the action is proposed, would be as effective, and less burdensome to affected private persons that the proposed action, or would be more cost-effective to affected private persons and equally effective in implementing the statutory policy or other provisions of the law.

Benefits Anticipated

The specific benefits anticipated by the proposed amendments to the regulations will be to increase the effectiveness of law enforcement standards for peace officers in preserving peace, protection of public health and safety, and welfare of California. There would be no effect in regard to the environment, the prevention of discrimination, and the increase in openness and transparency in business and government.

Economic Impact Analysis

Impact of Jobs/New Business:

POST has found that the proposed amendments will have no effect on California businesses, including small businesses, because the Commission sets selection and training standards for law enforcement and does not impact California businesses, including small businesses.

INITIAL STATEMENT OF REASONS

Commission Regulations 1005, 1007, and 1008; Training and Testing Specifications for Peace Officer Basic Courses

Assessment

The adoption of the proposed regulation amendments will neither create nor eliminate jobs in the state of California and will not result in the elimination of existing businesses or create or expand businesses in the state of California. These proposed regulations will set standards for consistency across the State.

Benefits of Proposed Regulation:

The proposed amendments of regulations will increase the effectiveness of law enforcement standards for peace officers in preserving peace, protection of public health and safety, and welfare of California.
